

ORDINANCE NO. 56-20

AN ORDINANCE AMENDING CHAPTER 452 OF THE CODIFIED ORDINANCES OF THE CITY OF AVON REGARDING PROHIBITED STANDING OR PARKING PLACES AND DECLARING AN EMERGENCY

WHEREAS, it has been brought to the attention of City Council that standing in or parking cars on public streets, especially in our residential subdivisions, can create issues for residents who live on these streets; and

WHEREAS, in an effort to address these concerns, City Council referred the matter of parking to its Legal Committee; and

WHEREAS, on June 8, 2020, Legal Committee met and considered amendments to ACO §452.03; and

WHEREAS, Legal Committee, after hearing from residents, members of the Administration and the City's Public Safety Director, voted, three (3) in favor and zero (0) opposed, to recommend to Council changes be made to the City's existing parking ordinances; and

WHEREAS, Council, considering the recommendation of the Legal Committee, the concerns of residents and the recommendation of the Administration, finds the amendments to §452.03 (a) as they pertain to standing or parking a motor vehicle on a public street to be in the best interests of the safety, health and welfare of the community.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF AVON, LORAIN COUNTY, OHIO:

Section 1 - That Section 452.03(a)(2) of the Codified Ordinances of the City of Avon which currently reads as follows:

452.03 PROHIBITED STANDING OR PARKING PLACES.

a) No person shall stand or park a vehicle, except when necessary to avoid conflict with other traffic or to comply with the provisions of this title, or while obeying the directions of a police officer or a traffic-control device, in any of the following places:

- (1) On a sidewalk, except a bicycle;
- (2) In front of a public or private driveway;

(Ord. 156-05. Passed 10-25-05; Ord. 68-06. Passed 5-22-06.)

Shall be amended to read as follows: (new language in bold print)

452.03 PROHIBITED STANDING OR PARKING PLACES.

a) No person shall stand or park a vehicle, except when necessary to avoid conflict with other traffic or to comply with the provisions of this title, or while obeying the directions of a police officer or a traffic-control device, in any of the following places:

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- (1) On a sidewalk, except a bicycle;
- (2) **Within three (3) feet** ~~In front~~ of a public or private driveway;

(Ord. 156-05. Passed 10-25-05; Ord. 68-06. Passed 5-22-06.)

Section 2 - That Section 452.03(a) of the Codified Ordinances of the City of Avon which currently reads as follows:

452.03 PROHIBITED STANDING OR PARKING PLACES.

a) No person shall stand or park a vehicle, except when necessary to avoid conflict with other traffic or to comply with the provisions of this title, or while obeying the directions of a police officer or a traffic-control device, in any of the following places:

- (16) On the roadway portion of a freeway, expressway, or thruway.
- (17) On the side of the street where fire hydrants have been installed;
- (18) On public City streets between the hours of 2:00 a.m. and 6:00 a.m.

(Ord. 156-05. Passed 10-25-05; Ord. 68-06. Passed 5-22-06.)

Shall be amended to read as follows: (new language in bold print)

452.03 PROHIBITED STANDING OR PARKING PLACES.

a) No person shall stand or park a vehicle, except when necessary to avoid conflict with other traffic or to comply with the provisions of this title, or while obeying the directions of a police officer or a traffic-control device, in any of the following places:

- (16) On the roadway portion of a freeway, expressway, or thruway.
- (17) On the side of the street where fire hydrants have been installed;
- (18) On public City streets between the hours of 2:00 a.m. and 6:00 a.m.
- (19) Within eight (8) feet of a residential mailbox between the hours of 8:00 am and 5:00 pm Monday through Saturday, excluding Federal Holidays.**

(Ord. 156-05. Passed 10-25-05; Ord. 68-06. Passed 5-22-06.)

Section 3 - That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were adopted in an open meeting of this Council, and that all deliberations of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public, in compliance with all legal requirements, including Section 121.22 of the Ohio Revised Code.

Section 4 - That this Ordinance is hereby declared to be an emergency measure necessary for the preservation of the public peace, health, safety and welfare of the citizens of the City of Avon, the immediate emergency being the necessity to enact legislation to prohibit parking on

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public city streets within three feet of a public or private driveway and within eight feet of a residential mailbox; therefore, this Ordinance shall be in full force and effect immediately upon its passage and approval by the Mayor.

PASSED: _____

DATE SIGNED: _____

By: _____
Brian Fischer, Council President

DATE APPROVED BY THE MAYOR: _____

Bryan K. Jensen, Mayor

APPROVED AS TO FORM:

John A. Gasior, Law Director
City of Avon, Ohio

ATTEST:

Barbara Brooks
Clerk of Council

Posted: _____
In Five Places as
Provided by Council

Prepared By:
John A. Gasior, Esq.
Law Director